

**HOLLADAY CITY**

**ORDINANCE NO. 2014-\_\_\_\_**

**AN ORDINANCE ENACTING TITLE \_\_\_, CHAPTERS \_\_\_ THROUGH \_\_\_ OF THE HOLLADAY CITY MUNICIPAL CODE IN ORDER TO ESTABLISH UNLAWFUL DISCRIMINATORY EMPLOYMENT AND HOUSING PRACTICES BASED ON SEXUAL ORIENTATION OR GENDER IDENTITY.**

**WHEREAS**, the Holladay City (the “*City*”) is a diverse community which is made up of a wide variety of groups, communities and individuals; and

**WHEREAS**, the City values this diversity among its citizens and visitors; and

**WHEREAS**, the City Council (the “*Council*”) has determined that discriminatory practices impede the social and economic progress of the City by preventing all people from contributing to, or fully participating in, the cultural, spiritual, social and commercial life of the community, which is essential to the growth and vitality of the City’s neighborhoods and businesses; and

**WHEREAS**, the Utah Antidiscrimination Act, Utah Code Section 34A-5-101 *et seq.*, addresses employment-related discrimination based on race, color, religion, sex, pregnancy, childbirth or pregnancy-related conditions, national origin, age (if over 40 years of age), and disability, but does not address employment-related discrimination based on sexual orientation or gender identity; and

**WHEREAS**, the Council has determined that discrimination based on sexual orientation and gender identity are among the forms of discrimination that adversely affect the general welfare of the City and the vitality of its neighborhoods; and

**WHEREAS**, Utah Code Section 10-8-84(1) grants Holladay the power to “provide for the safety” of and to “promote the prosperity . . . and comfort and convenience” of “the city and its inhabitants;” and

**WHEREAS**, the City Council of Holladay City, Utah, does hereby determine that it is in the best interest of the health, safety and welfare of the residents of the City to adopt an ordinance prohibiting discrimination in employment and housing on the basis of sexual orientation and gender identity;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Holladay City, Utah, as follows:

**Section 1. Repealer.** Any provision of the Holladay City Municipal Code found to be in conflict with this Ordinance is hereby repealed.

**Section 2. Enactment.** Title 26, Chapters 1 through 4 of the Holladay City Municipal Code are hereby enacted to read as follows:

**TITLE 26  
ANTI-DISCRIMINATION**

**Chapters:**

- 26-1 General Provisions.**
- 26-2 Employment Discrimination.**
- 26-3 Housing Discrimination.**
- 26-4 Offenses, Investigation and Enforcement.**

**TITLE 26-1  
GENERAL PROVISIONS**

**Sections:**

- 26-1-101. Purpose.**
- 26-1-102. Administration.**
- 26-1-103. Anti-Discrimination Board.**
- 26-1-104. No Private Right of Action; No Special Rights.**
- 26-1-105. Severability.**
- 26-1-106. Definitions.**

**26-1-101. PURPOSE.**

(1) Every individual in the City has the right to work and earn wages through gainful employment. Discriminatory employment practices are detrimental because they impede the social and economic progress of the City by preventing all of the City's citizens from contributing to or fully participating in the cultural, spiritual, social and commercial life of the community, which is essential to the growth and vitality of the City's neighborhoods and businesses. The Utah Antidiscrimination Act, Utah Code Section 34A-5-101 *et seq.*, addresses employment-related discrimination based on race, color, sex, pregnancy, childbirth or pregnancy-related conditions, religion, national origin, age (if 40 years of age or older), and disability, but does not address discrimination based on sexual orientation or gender identity.

(2) Every individual in the City has the right to seek housing. Discriminatory housing practices are detrimental because they impede the social and economic progress of the City by preventing all of the City's citizens from contributing to or fully participating in the cultural, spiritual, social and commercial life of the community, which is essential to the growth and vitality of the City's neighborhoods and businesses.

(3) The Utah Fair Housing Act, Utah Code Section 57-21-1 *et seq.*, addresses housing-related discrimination based on race, color, religion, sex, national origin, familial status, source of income, and disability, but does not address discrimination based on sexual orientation or gender identity.

The City has found that discrimination in employment and housing on the bases of sexual orientation and gender identity must be addressed. The denial or deprivation of employment rights and access to housing because of an individual's sexual orientation or gender identity is detrimental to the health, safety, and welfare of the City's citizens and damages the City's economic well-being. The purpose of this Title is to provide a clear and comprehensive mandate for the prevention and elimination of discrimination in employment and housing in the City against individuals based upon sexual orientation or gender identity and this Title shall be liberally construed to achieve that purpose.

**26-1-102. ADMINISTRATION.**

The City Manager is responsible for administering and implementing this chapter.

**26-1-103. ANTI-DISCRIMINATION BOARD.**

(1) The City Manager is authorized to establish the Anti-Discrimination Board and to appoint the three members of the Board.

(2) The term of each Board member shall be determined by the City Manager.

(3) Any member of the Board may be removed by the City Manager at any time. The City Manager shall select the chair of the Board.

(4) The Board may adopt rules of policy and procedure for the governing of meeting, its members, and the performance of its duties.

**26-1-104. NO PRIVATE RIGHT OF ACTION; NO SPECIAL RIGHTS.**

This Title does not create a private cause of action, nor does it create any right or remedy that is the same or substantially equivalent to the remedies provided under federal or state law. This Title does not create any special rights or privileges which would not be available to all of the City's citizens because every person has a sexual orientation and a gender identity.

**26-1-105. SEVERABILITY.**

If any section, sentence, paragraph, term, definition or provision of this Title is for any reason determined to be illegal, invalid, superseded by other authority or unconstitutional by any court of competent jurisdiction or by any state or federal regulatory authority having jurisdiction thereof, such portion shall be deemed a separate, distinct, and independent provision and such determination shall have no effect on the validity of any other section, sentence, paragraph, term, definition or provision of this chapter, all of which will remain in full force and effect.

**26-1-106. DEFINITIONS.**

In this Title:

(1) “*Anti-Discrimination Board*” or “*Board*” means the Board comprised of three persons appointed by the City Manager and operating as set forth in this Title.

(2) “*City*” means Holladay City, Utah.

(3) “*City Attorney*” means the duly appointed Holladay City Attorney and includes the City Attorney’s designated subordinate attorneys.

(4) “*City Manager*” means the duly appointed City Manager of Holladay City and includes the City Manager’s designated representatives.

(5) “*Complainant*” means a person, including the Board or a member of the Board, who files a complaint under this chapter.

(6) “*Conciliation*” means the attempted resolution of issues raised in a complaint filed under this chapter, or raised in the investigation of the complaint, through informal negotiations involving the Complainant, the Respondent, and the Board.

(7) “*Conciliation Agreement*” means a written agreement setting forth the resolution of issues by conciliation under this chapter.

(8) “*Discrimination*” means any direct or indirect exclusion, distinction, segregation, limitation, refusal, denial, or other differentiation in the treatment of a person because of a person’s actual or perceived sexual orientation or gender identity or because of a person’s association with any such person. Discrimination shall not be interpreted to require or to grant or accord preferential treatment to any person because of that person’s sexual orientation or gender identity.

(9) “*Dwelling*” means any building or structure, or a portion of a building or structure, occupied as, or designed or intended for occupancy as, a residence of one or more families inside the City and vacant land that is offered for sale or lease for the construction or location of a dwelling inside the City.

(10) “*Employee*” means any individual applying with or employed by an employer. The term does not include an elected official.

(11) “*Employer*” means any person employing fifteen (15) or more employees in the City for each working day in each of twenty (20) or more calendar weeks in the current or preceding calendar year, and includes any agent of such a person.

(12) “*Employment Agency*” means any person, and any agent of a person, undertaking to procure employees or opportunities to work for any other person in the City or holding itself out to be equipped to procure employee or opportunities to work for any other person in the City.

(13) “*Gender Identity*” means a person’s actual or perceived gender identity, appearance, mannerisms, or other characteristics of an individual with or without regard to the person’s sex at birth.

(14) “*Labor Organization*” means any organization that exists for the purpose in whole or in part of collective dealing with Employers concerning grievances, terms or conditions of employment, or other mutual aid or protection in connection with employment.

(15) “*Otherwise Qualified*” means a person who possesses the following required by an employer for any particular job, job classification, or position:

- (a) education;
- (b) training;
- (c) ability;
- (d) moral character;
- (e) integrity;
- (f) disposition to work;
- (g) adherence to reasonable rules and regulations; and
- (h) other job-related qualifications required by an employer.

(16) “*Person*” means one or more individuals, partnerships, associations, corporations, legal representatives, trusts or trustees, receivers and the City.

(17) “*Real Estate Broker or Salesperson*” means a principal real estate broker, an associate real estate broker, or a real estate sales agent as those terms are defined in Utah Code Section 61-2-2 or any successor provision.

(18) “*Religious Organization*” means a religious corporation, association, educational institution, society, trust or any entity or association which is a wholly owned or controlled subsidiary or agency of any religious corporation, association, society, trust or corporation sole.

(19) “*Rent*” means to lease, sublease, let, or otherwise grant for a consideration the right to occupy premises not owned by the occupant.

(20) “*Residential Real Estate Related Transaction*” means the making or purchasing loans or providing other financial assistance for purchasing, constructing, improving, repairing, or maintaining a dwelling; or secured by residential real estate; or selling, brokering, or appraising residential real property inside the City.

(21) “*Respondent*” means a person identified in a complaint as having committed an unlawful practice under this chapter.

(22) “*Sexual Orientation*” means a person’s actual or perceived orientation as heterosexual, homosexual, or bisexual.

(23) “*Unlawful Practice*” means a discriminatory act or practice relating to employment that is prohibited under this chapter.

## **CHAPTER 26-2**

### **EMPLOYMENT DISCRIMINATION**

#### **Sections:**

**26-2-101. Unlawful Employment Practices.**

**26-2-102. Exemptions.**

**26-2-103. Unlawful Intimidation, Retaliation, and Coercion.**

**26-2-104. Procedures for Filing Complaints.**

#### **26-2-101. UNLAWFUL EMPLOYMENT PRACTICES.**

(1) *Employers.* An employer may not refuse to hire, promote, discharge, demote, or terminate any person, and may not retaliate against, harass, or discriminate in matters of compensation or in terms, privileges, and conditions of employment against any person otherwise qualified because of a person’s sexual orientation or gender identity.

(2) *Employment agencies.* An employment agency may not refuse to list and properly classify for employment, or refuse to refer a person for employment, in a known available job for which the person is otherwise qualified because of a person’s sexual orientation or gender identity.

(3) *Labor organizations.* A labor organization may not exclude any person otherwise qualified from full membership rights in the labor organization, expel the person from membership in the labor organization, or otherwise discriminate against or harass any of the labor organization’s members in full employment of work opportunity, or representation, because of a person’s sexual orientation or gender identity.

(4) *Training programs.* An employer, labor organization, joint apprenticeship committee, or vocational school, providing, coordinating, or controlling apprenticeship programs, or providing, coordinating, or controlling on-the-job training programs, instruction, training, or retraining programs may not deny to, or withhold from, any qualified person, the right to be admitted to, or participate in any apprenticeship training program, on-the-job training program, or other occupational instruction, training or retraining program because of a person’s sexual orientation or gender identity.

(5) *Notices and advertisements.* Unless based upon a bona fide occupational qualification, or required by and given to an agency of government for security reasons, an employer, employment agency, or labor organization may not print, or circulate, or cause to be printed or circulated, any statement, advertisement, or publication, use any form of application for employment or membership, or make any inquiry in connection with prospective employment or membership that expresses, either directly or indirectly, any limitation, specification, or discrimination because of a person's sexual orientation or gender identity.

(6) It is unlawful for a joint labor-management committee controlling apprenticeship or other training or retraining (including on-the-job training programs) to print or publish, or cause to be printed or published, any notice or advertisement relating to admission to, or employment in, any program established to provide apprenticeship or other training by the joint labor-management committee that indicates any preference, limitation, specification, or discrimination based on sexual orientation or gender identity.

(7) Nothing in this chapter prohibits a notice or advertisement from indicating a preference, limitation, specification, or discrimination based on sexual orientation or gender identity when sexual orientation or gender identity is a bona fide occupational qualification for employment.

(8) *No Preferential Treatment.* Nothing in this chapter shall be interpreted to require any employer, employment agency, labor organization, vocational school, joint labor-management committee, or apprenticeship program subject to this chapter to grant preferential treatment to any person because of the person's sexual orientation or gender identity on account of an imbalance which may exist with respect to the total number or percentage of persons of any sexual orientation or gender identity employed by any employer, referred or classified for employment by an employment agency or labor organization, admitted to membership or classified by any labor organization, or admitted to or employed in, any apprenticeship or other training program, in comparison with the total number or percentage of persons of that sexual orientation or gender identity available in the City's available work force.

## **26-2-102. EXEMPTIONS.**

This chapter does not apply to:

- (1) a religious organization;
- (2) an expressive association whose employment of a person protected by this chapter would significantly burden the association's rights of expressive association under *Boy Scouts of America v. Dale*, 530 U.S. 640 (2000); the United States government, any of its departments or agencies, or any corporation wholly owned by it; or
- (3) the United States government, any of its departments or agencies, or any corporation wholly owned by it; or the State of Utah or any of its departments, agencies, or political subdivisions except for the City.

**26-2-103. UNLAWFUL INTIMIDATION, RETALIATION, AND COERCION.**

It is unlawful for any person to discriminate against, harass, threaten, harm, damage, or otherwise penalize another person for opposing an unlawful practice, for filing a complaint, or for testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing under this chapter.

**26-2-104. PROCEDURES FOR FILING COMPLAINTS.**

Any person who claims to have been injured by an unlawful employment practice subject to the City's jurisdiction under this Chapter may file a complaint in accordance with the provisions of Chapter 4 of this Title.

**CHAPTER 26-3  
HOUSING DISCRIMINATION**

**Sections:**

- 26-3-101. Unlawful Practices.**
- 26-3-102. Exemptions.**
- 26-3-103. Unlawful Intimidation, Retaliation, and Coercion.**
- 26-3-104. Procedures for Filing Complaints.**

**26-3-101. UNLAWFUL HOUSING PRACTICES.**

(1) It is a discriminatory housing practice to do any of the following:

- (a) refuse to sell or rent after the making of a bona fide offer, refuse to negotiate for the sale or rental, or otherwise deny or make unavailable any dwelling from any person because of the person's sexual orientation or gender identity;
- (b) discriminate against any person in the terms, conditions, or privileges of the sale or rental of any dwelling or in providing facilities or services in connection with the dwelling because of the person's sexual orientation or gender identity;
- (c) represent to any person that any dwelling is not available for inspection, sale, or rental when in fact the dwelling is available;
- (d) to make a representation orally or in writing or make, print, circulate, publish, post, or cause to be made, printed, circulated, published, or posted any notice, statement, or advertisement, or to use any application form for the sale or rental of a dwelling, that directly or indirectly expresses any preference, limitation, or discrimination based on sexual orientation or gender identity, or expresses any intent to make any such preference, limitation, or discrimination;



(e) to induce or attempt to induce, for profit, any person to buy, sell, or rent any dwelling by making representations about the entry or prospective entry into the neighborhood of persons of a particular sexual orientation or gender identity;

(f) engage in any discriminatory housing practices because of sexual orientation or gender identity based upon a person's association with another person.

(2) It is a discriminatory housing practice for a real estate broker or salesperson to do any of the following because of a person's sexual orientation or gender identity:

(a) to discriminate against any person in making available a residential real estate transaction, or in the terms or conditions of the transaction, inside the City, because of a person's sexual orientation or gender identity;

(b) to deny any person access to, or membership or participation in, any multiple-listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting dwellings inside the City or to discriminate against any person in the terms or conditions of access, membership, or participation in the organization, service, or facility inside the City because of a person's sexual orientation or gender identity; or

(c) engage in any discriminatory housing practices inside the City because of sexual orientation or gender identity based upon a person's association with another person.

(3) *Exceptions.* This chapter does not apply to the following:

(a) The sale or rental of any single-family dwelling, if the owner:

(i) does not own an interest in or title to four or more single-family dwellings held for lease or sale at one time located inside the City;

(ii) has not sold two or more single-family dwellings inside the City in which the owner did not reside in the dwelling within the 24-month period preceding the sale or rental of the dwelling; and

(iii) does not use the services or facilities of any real estate broker, agent, or salesperson, or of any other person in the business of selling or renting dwellings, in connection with the sale or rental of the dwelling inside the City.

(b) The rental of a dwelling that is occupied or intended to be occupied by no more than four families living independently of each other, when the owner actually maintains and occupies part of the dwelling as a residence.

(c) Nothing in this section prohibits conduct against a person because of the person's conviction by a court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance under state or federal laws.

**26-3-102. EXEMPTIONS.**

(1) This chapter does not apply to a temporary or permanent residence facility operated by a nonprofit organization, a charitable organization, or a person in conjunction with a religious organization, association, or society, including any dormitory operated by a public or private educational institution, if the discrimination is based on sexual orientation or gender identity for reasons of personal modesty or privacy or in the furtherance of a religious organization's sincerely held religious beliefs.

(2) This chapter does not prohibit or restrict a religious organization or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization from limiting the sale, rental, or occupancy of dwellings it owns or operates for primarily noncommercial purposes to persons of the same religion, or from giving preference to such persons.

(3) This chapter does not prohibit distinctions based on a person's inability or failure to fulfill the terms and conditions, including financial obligations, of a lease, rental agreement, contract of purchase or sale, mortgage, trust deed, or other financing agreement.

(4) This chapter does not apply to: (1) the United States Government, any of its departments or agencies, or any corporation wholly owned by it; or (2) the government of the State of Utah or any of its departments, agencies, or political subdivision, except for the City.

**26-3-103. UNLAWFUL INTIMIDATION, RETALIATION, AND COERCION.**

It is unlawful for any person to discriminate against, harass, threaten, harm, damage, or otherwise penalize another person for opposing an unlawful practice, for filing a complaint, or for testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing under this chapter.

**26-3-104. PROCEDURES FOR FILING COMPLAINTS.**

Any person who claims to have been injured by an unlawful housing practice may file a complaint in accordance with the provision of Chapter 4 of this Title.

**CHAPTER 26-4**  
**OFFENSES, INVESTIGATION AND ENFORCEMENT**

**Sections:**

- 26-4-101. Offenses and Penalties.**
- 26-4-102. Complaint.**
- 26-4-103. Investigation.**
- 26-4-104. Conciliation.**
- 26-4-105. Enforcement.**

**26-4-101. OFFENSES AND PENALTIES.**

(1) A person commits an unlawful practice and violates this Title if the person intentionally or knowingly violates a provision of this Title or if the person intentionally or knowingly obstructs or prevents compliance with this Title.

(2) An unlawful practice committed under this Title by a Respondent owning or operating fifty (50) or fewer dwellings or employing fourteen (14) or fewer employees is punishable by a fine of not more than \$500.00.

(3) An unlawful practice committed under Title by a Respondent owning or operating fifty-one (51) or more dwellings or by a Real Estate Broker or Salesperson or employing fifteen (15) or more employees is punishable by a fine of not more than \$1,000.00.

**26-4-102. COMPLAINT.**

(1) Any person who claims to have been injured by an unlawful practice may file a complaint with the Board. A complaint may also be filed by the Board if the Board has reasonable cause to believe that a person has committed an unlawful practice under this Title. A complaint must be filed within 180 calendar days after an alleged unlawful practice has occurred.

(2) A complaint must be in writing on a form provided by the Board, made under oath or affirmation, and contain the following information:

- (a) the Complainant's name, address, and signature;
- (b) the date the alleged unlawful practice occurred;
- (c) a statement of the facts upon which the allegation of an unlawful practice are based; and
- (d) the Respondent's name and address.

(3) Promptly after the filing of a complaint, the Board shall:

(a) provide the Respondent named in the complaint written notice that a complaint alleging the commission of an unlawful practice has been filed against the Respondent;

(b) furnish a copy of the complaint to the Respondent; and

(c) advise the Respondent of the Respondent's procedural rights and obligations, including the right to file a written, signed, and verified informal answer to the complaint within 15 calendar days after service of notice of the complaint.

(4) Not later than the 15<sup>th</sup> day after service of the notice and copy of the complaint, a Respondent may file an answer to the complaint. The answer must be in writing, made under oath or affirmation, and contain the following information:

(a) the Respondent's name, address, telephone number, and signature of the Respondent or the Respondent's attorney, if any; and

(b) a concise statement of facts in response to the allegations in the complaint, including facts of any defense or exception.

**26-4-103. INVESTIGATION.**

(1) Upon the filing of a complaint, the Board shall commence an investigation to determine the facts behind the complaint and whether there is reasonable cause to believe the Respondent committed an unlawful practice, except that no investigation may commence if, after reviewing the allegations of the complaint, the Board determines that the complaint does not come within the scope of this chapter. Upon determining that a particular complaint does not come within the scope of this chapter, the Board shall dismiss the complaint, notify the Complainant and the Respondent and take no further action.

(2) In connection with any investigation of a complaint filed under this chapter, the board shall seek the voluntary cooperation of any person to:

(a) obtain access to premises, records, documents, individuals, and any other possible source of information;

(b) examine, record, and copy necessary materials; and

(c) take and record testimony or statements of any person reasonably necessary for the furtherance of the investigation.

(3) The Board may dismiss a complaint during the investigation and prior to referral to the City Attorney if the Board determines that:

- (a) the complaint was not filed within the required time period;
- (b) the location of the alleged unlawful practice is not within the City's jurisdiction;
- (c) the alleged unlawful practice is not a violation of this chapter;
- (d) the Complainant refuses to cooperate with the Board in the investigation of the complaint or enforcement of an executed conciliation agreement;
- (e) the Complainant cannot be located after the Board has performed a reasonable search; or
- (f) a conciliation agreement has been executed by the Complainant and Respondent.

**26-4-104. CONCILIATION.**

(1) During or after the investigation, but subsequent to the mailing of the notice of the complaint to the Respondent, the Board shall, if it appears that the Respondent has committed an unlawful practice, attempt to conciliate the complaint. In conciliating a complaint, the Chair of the Board, or a member of the Board designated by the Chair, shall try to achieve a just resolution and obtain assurances that the Respondent will satisfactorily remedy any violation of the Complainant's rights and take action to ensure the elimination of both present and future unlawful practices. A conciliation agreement may include: sensitivity training for the Respondent and/or the Respondent's employees; the Respondent's agreement to adopt and pursue a policy of non-discrimination in its practices; and the Respondent's agreement to not engage in discriminatory practices in the future.

(2) A conciliation agreement executed under this section must be in writing in a form approved by the City Attorney and must be signed and verified by the Respondent and the Complainant, subject to approval of the Chair of the Board who shall indicate approval by signing the agreement.

(3) If a Respondent voluntarily enters into a conciliation agreement, the Board shall immediately dismiss the complaint.

**26-4-105. ENFORCEMENT.**

(1) If, upon completion of an investigation of a complaint, the Board determines that an unlawful practice has occurred and is unable to secure an acceptable conciliation agreement from the Respondent, then the Board shall refer the case to the City Attorney.

(2) The Board shall refer the entire file to the City Attorney, who shall determine how best to pursue further action, if any, on the complaint.

(3) If the City Attorney determines that cause exists that an unlawful practice occurred and the facts are sufficient to warrant the initiation of an action through the Holladay City Administrative Code Enforcement Hearing Program set forth in Title 10 of this Code, then the City Attorney shall provide written notification to the Respondent and the Complainant that an action to enforce this Title will be initiated. The enforcement process and proceedings shall be in compliance with the rules and provisions set forth in Title 10 of this Code.

(4) If the City Attorney determines that there is no cause that an unlawful practice occurred or that the facts are insufficient to warrant the initiation of an action in justice court, the City Attorney shall provide written notification to the Respondent and the Complainant and notify the Board who shall then dismiss the complaint.

**Section 3. Severability.** If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**Section 4. Effective Date.** This Ordinance shall take effect immediately upon posting in the manner required by law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**HOLLADAY CITY COUNCIL**

By:

\_\_\_\_\_  
Robert Dahle, Mayor

[SEAL]

**VOTING:**

Lynn H. Pace	Yea _____	Nay _____
J. James Palmer, Jr.	Yea _____	Nay _____
Sabrina R. Petersen	Yea _____	Nay _____
Patricia Pignanelli	Yea _____	Nay _____
Steven H. Gunn	Yea _____	Nay _____
Robert Dahle	Yea _____	Nay _____

**ATTEST:**

\_\_\_\_\_  
Stephanie N. Carlson, MMC  
City Recorder

**DEPOSITED** in the office of the City Recorder this \_\_\_\_ day of \_\_\_\_\_, 2014.

**RECORDED** this \_\_\_\_ day of \_\_\_\_\_, 2014.